

Applicant: William T. Dalebout et al.  
 Serial No.: 10/083,453  
 Filing Date: February 26, 2002  
 For: FOLD-OUT TREADMILL

Confirmation No.: 8307  
 Att'y Docket No.: 13914.380.1.1.1  
 Art Unit: 3764



### INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

#### U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date/ Publication Date</u>	<u>Name</u>
GR 1	D211,801	07/30/68	Quinton
2	D217,173	04/1970	Frasier
3	D218,107	7/1970	Feather et al.
4	D219,744	01/1971	Hesen
5	D270,555	09/1983	Ogden
6	D277,304	01/1985	Smith et al.
7	D280,002	08/1985	Smith
8	D283,239	04/1986	Smith et al.
9	D284,597	07/1986	Smith et al.
10	D289,668	05/1987	Gremonprez et al
11	D291,821	09/1987	Kiiski
12	D299,669	1/1989	Harter
13	D300,046	2/1989	Armstrong et al.
14	D304,849	11/1989	Watterson
15	D306,468	03/1990	Watterson
16	D306,891	03/1990	Watterson
17	D313,826	01/1991	Birrell
18	D315,765	03/1991	Measom et al
19	D316,124	04/1991	Dalebout et al
20	D318,086	07/1991	Bingham et al.
GR 21	D323,009	01/1992	Dalebout et al

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<u>GR</u>	22	D323,198	01/1992	Dalebout et al
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	24	D333,330	02/1993	Clem
	25	D342,107	12/1993	Chang
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	28	D351,202	10/1994	Bingham
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	30	D361,806	08/1995	Bartlett
	31	D361,807	08/1995	Bartlett
	32	D375,063	10/1996	Stevens
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	35	284,294	09/19883	Graves
	36	674,391	05/1901	Baker
	37	897,722	05/1908	Day
	38	937,795	10/1909	Hackney
	39	1,016,729	02/1912	Barrett
	40	1,064,968	06/1913	Hagen
	41	1,082,940	12/1913	Flora
	42	1,211,765	01/1917	Schmidt
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<u>GR</u>	48	2,165,700	07/1939	Glynn

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GR 49	2,219,219	10/1940	Boger
50	2,255,864	09/1941	Stephens
51	2,399,915	05/1946	Drake
52	2,632,645	03/1953	Barkschat
53	2,842,365	07/1958	Kelley
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55	3,035,671	05/1962	Sicherman
56	3,193,287	07/1965	Robinson
57	3,444,830	05/20/69	Dopetsch
58	3,518,985	07/1970	Quinton
59	3,606,320	09/1971	Erwin, Jr.
60	3,608,898	09/1971	Berlin
61	3,643,943	02/1972	Erwin,Jr et al.
62	3,686,776	08/1972	Dahl
63	3,689,066	09/1972	Hegan
64	3,703,284	11/1972	Hegan
65	3,826,491	07/1974	Elder
66	3,858,938	01/1975	Kristensson et al.
67	3,892,404	07/1975	Martuccie
68	3,904,196	09/1975	Berlin
69	3,909,857	10/75	Herrera
70	3,963,101	06/1976	Stadelmann
71	3,966,182	06/1976	Stadelmann et al.
72	4,093,196	06/1978	Bauer
73	4,113,071	09/1978	Muller et al.
74	4,274,625	06/1982	Gaetano
GR 75	4,344,616	08/1982	Ogden

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GR	76	4,350,336	09/1982	Hanford
	77	4,363,486	12/1982	Fisher et al.
	78	4,370,766	02/1983	Teague, Jr.
	79	4,374,587	02/1983	Ogden
	80	4,406,451	09/1983	Gaetano
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	82	4,452,448	06/1984	Ausherman
	83	4,502,679	03/1985	DeLorenzo
	84	4,544,153	10/1985	Babcock
	85	4,566,689	01/1986	Ogden
	86	4,572,500	02/1986	Weiss
	87	4,576,352	03/1986	Ogden
	88	4,580,983	04/1986	Cassini et al.
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	90	4,602,779	07/1986	Ogden
	91	4,635,927	01/1987	Shu
	92	4,635,928	01/1987	Ogden et al.
	93	4,643,418	02/1987	Bart
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	96	4,664,371	05/1987	Viander
	97	4,708,337	11/1987	Shyu
	98	4,709,918	12/1987	Grinblat
	99	4,729,558	03/1988	Kuo
	100	4,751,755	06/1988	Carey Jr. et al.
▼	101	4,779,845	10/1988	Bartesch et al.
GR	102	4,792,134	12/1988	Chen

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GR	103	4,813,743	03/1989	Mizelle
	104	4,822,029	04/1989	Samo et al.
	105	4,826,152	05/1989	Lo
	106	4,844,449	07/1989	Truslaske
	107	4,886,266	12/1989	Truslaske
	108	4,938,473	07/1990	Lee et al.
	109	4,984,810	01/1991	Stearns et al.
	110	4,998,725	03/12/91	Watterson et al.
	111	5,002,271	03/26/91	Gonzales
	112	5,007,630	04/1991	Real et al.
	113	5,062,626	11/1991	Dalebout et al.
	114	5,072,928	12/1991	Sterns et al.
	115	5,085,426	02/1992	Wanzer et al.
	116	5,178,599	01/1993	Scott
	117	5,254,067	10/1993	Habing et al.
	118	5,279,528	01/1994	Dalebout et al.
	119	5,284,461	02/1984	Wilkinson et al.
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	121	5,308,301	05/1994	Chiarello
	122	5,336,146	08/19994	Piaget et al.
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	125	5,352,169	10/1994	Eschenbach
	126	5,353,452	10/94	Rulis
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▼	128	5,370,594	12/1994	Grinblat
GR	129	5,378,212	01/1995	Pin-Kou

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GR	130	5,403,254	04/1995	Lundin et al.
	131	5,407,408	04/1995	Wilkinson
	132	5,439,432	08/1995	Lundin et al.
	133	5,439,433	08/1995	Lundin et al.
	134	5,447,479	09/1995	Gvoich
	135	5,454,770	10/1995	Stevens
	136	5,460,586	10/1995	Wilkinson et al.
	137	5,476,431	12/1995	Wilkinson et al.
	138	5,484,362	01/1996	Skowronski et al.
	139	5,496,235	03/1996	Stevens
	140	5,529,553	06/1996	Finlayson
	141	5,533,948	07/1996	Wilkinson
	142	5,591,106	01/1997	Dalebout et al.
	143	5,595,556	01/1997	Dalebout et al.
	144	5,599,259	02/1997	Skowronski et al.
	145	5,603,675	02/1997	Wu
	146	5,607,375	03/1997	Dalebout et al.
	147	5,662,557	09/1997	Watterson et al.
	148	5,669,857	09/1997	Watterson et al.
	149	5,672,140	09/1997	Watterson et al.
	150	5,674,156	10/1997	Watterson et al.
	151	5,676,624	10/1997	Watterson et al.
	152	5,683,332	11/1997	Watterson et al.
	153	5,702,325	12/1997	Watterson et al.
	154	5,704,879	01/1998	Watterson et al.
▼	155	5,707,319	01/1998	Riley
	GR 156	5,708,060	01/1998	Sands et al.

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GR	157	5,709,632	01/1998	Socwell
	158	5,711,745	01/1998	Yang
	159	5,718,657	02/1998	Dalebout et al.
	160	5,722,922	03/1998	Watterson et al.
	161	5,772,560	06/1998	Watterson et al.
	162	5,830,113	11/1998	Coody, et al.
	163	5,855,537	01/1999	Coody, et al.
	164	5,868,648	02/1999	Coody, et al.
	165	6,273,843	08/2001	Lo
	166	6,325,725	12/2001	Yu
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	168	6,579,211	06/2003	Wu
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▼	170	6,974,404	12/2005	Watterson
GR	171	US2005/0148443 A1	7/2005	Watterson et al.

#### Foreign Patent Documents

Examiner Initial*	Document Number	Publication Date	Country or Patent Office	Translation
GR	172	644,774	07/1962	Canada
	173	222239	04/1994	China
	174	223261	05/1994	China
	175	238211	01/1995	China
▼	176	0 095 226	03/1983	EPO
GR	177	740 943	08/1932	France

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GR	178	1,432,392	05/1965	France	N/A
	179	2 527 457	05/1982	France	N/A
	180	2 677 257	06/1991	France	N/A
	181	1044 355	10/1954	Germany	N/A
	182	1057 928	08/1957	Germany	N/A
	183	2 225 342	12/06/73	Germany	N/A
	184	2408 052 C3	12/1973	Germany	N/A
	185	3601 184 A1	01/1986	Germany	N/A
	186	15,447	11/1908	Great Britain	N/A
	187	382,340	10/1932	Great Britain	N/A
	188	384,019	12/1933	Great Britain	N/A
	189	1 495 436	12/1977	Great Britain	N/A
	190	81/01960	04/1981	Japan	N/A
	191	1297879 A1	02/1985	Russian	N/A
	192	825122	07/1977	Soviet Union	N/A
	193	1248615	08/1986	Soviet Union	N/A
	194	1 505 702	03/30/78	United Kingdom	N/A
	195	2 152 825 A	08/1985	United Kingdom	N/A
↓	196	2 212 729 A	08/1989	United Kingdom	N/A
GR	197	2 274 599 A	08/1994	United Kingdom	N/A

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GR 198 2 274 600 A 08/1994 United Kingdom N/A

Other Documents  
 (including author, title, pertinent pages, etc.)

Examiner Initial*	Document Number	Publication Date	Country or Patent Office	Translation
GR 199	AerobicRider Brochure, 4 pages without page numbers.			
200	Advertisement for Sportmart Health & Fitness for the "The Step" (Sportmart Health & Fitness, January 23, 1993, 1 page).			
201	Advertisement for "The Step" and "The Step II" (Sears the Great American Wish Book 1991, 2 pages, pp. title page, 600-601).			
202	Advertisement for "Introducing The New Step Reebok Platform" Designed to Meet the Demands of the Health Club Industry (© 1993 Reebok International Ltd., 1 page).			
203	Advertisement for "Step II"(Winter 1995 Home Fitness buyers Guide, 2 pages, pp. 69-70).			
204	Copy of Brochure for Cintas De Footing Spirit, April 2, 1993, 1 page.			
205	Copy of Brochure for Contour Jogger by BattleCreek Equipment, © 1979 Battle Creek Equipment Company, 2 pages.			
206	Copy of Brochure for Fitness Equipment & Accessories, 51 pages, pp. 53-57, 64, 67, 70, 72, 76-84, 105, 4-5, 12, 16-32, 37-41, 50, 52(some pages are enclosed without page numbers).			
207	Copy of Brochure for Fitness Sonner Land, 6 pages without page numbers.			
208	Copy of Brochure for Flex 'n' Stride, printed July 6, 1993, 5 pages.			
209	Copy of brochure for Genesis 1000", Technology for Total Fitness entitled "The Optimum Performance Home Fitness Center" (© Genesis, Inc., September 1985, 1 page).			
GR 210	Copy of brochure for Genesis 2000", Technology for Total Fitness entitled "The Ultimate in Home Exercise Equipment" (© Genesis, Inc., September 1985, 2 pages).			

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GR 211 Copy of brochure for Genesis 3000", Technology for Total Fitness entitled "The Dynamic Answer to Home Fitness and Health" (© Genesis, Inc., September 1985, 1 page without page number).

212 Copy of brochure for Genesis 4000", Technology for Total Fitness entitled "The Modern Approach to Home Fitness and Health" (© Genesis, Inc., September 1985, 2 pages without page numbers).

213 Copy of brochure for Genesis 5000", Technology for Total Fitness entitled "The Advancement In Home Fitness and Convenience" (© Genesis, Inc., 1985, 1 page).

214 Copy of brochure for Genesis 6000", Technology for Total Fitness entitled "Maximum Workout in Minimal Space" (© Genesis, Inc., 1985, 1 page).

215 Copy of Brochure for JKExer Built For Health, 16 pages without page numbers.

216 Copy of Brochure for JKExer Built For Health, 28 pages without page numbers.

217 Copy of Brochure page "Treadmills and Benches," for Apache MT-006.

218 Copy of Brochure for MacLevy, 5 pages without numbers.

219 Copy of Brochure for Otros Productos Sonnen Land, printed April 2, 1993, 1 page.

220 Copy of brochure for Quinton Instruments, 1974, 34 pages, pp. title page, 1-32 (some pages are enclosed without pages numbers.)

221 Copy of Brochure for Roadmaster Fitness Equipment 1989 (© Roadmaster Corporation 1989, 6 pages).

222 Copy of Brochure for Sears.Sport, 6 pages, pp. 498-503.

223 Copy of Brochure for Service Merchandise, 3 pages without page numbers.

224 Copy of Brochure for SpaceMaker 1000 LS, 1 page without page number.

225 Copy of Brochure for Spirit, 8 pages without page numbers.

GR 226 Copy of Brochure for Taiwan, 2 pages without page numbers.

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GR 227 Copy of brochure entitled "Technology for Total Fitness Genesis 1000", (© 1985 Genesis, Inc.) 6 pages.

228 Copy of brochure for Vitamaster® 1988 Product Line entitled "Vitamaster®" (Vitamaster Industries, Inc., 1988, 10 pages without page numbers).

229 Diagram of "HealthRider®" Parts Description (April 26, 1994, 1 page without page number).

230 Formula Ventures Owners Manual 22115 Manual Treadmill, upon information and belief, available in 1994, 20 pages.

231 HealthWare 87580M Treadmill Owner's Manual, 3 pages without page numbers.

232 JCPenney Catalog, 1 page, pp. 740.

233 Nordic Track Fitness At Home Catalog, available on information and belief at least as early as December 1994, 36 pages.

234 Photographs of foldable treadmills, Formula Ventures, available on information and belief at least as early as 1994.

235 Sears 1993 Spring/Summer Annual Catalog, 26 pages, pp. title page, 1384-1405, 1411 (some pages are enclosed without page numbers).

236 Spirit SL445 P Motorized Treadmill Owners Manual, 23 pages, pp. title page, 1-21.

237 Spirit SR275PH\SL445 PH Motorized Treadmill Owners Manual, 28 pages, pp. title page, 1-26.

238 Spirit SR275 P Motorized Treadmill Owners Manual, 22 pages, pp. title page, 1-20.

239 Spirit New Model SR275 P Motorized Treadmill Owners Manual, 23 pages, pp. title page, 1-21.

240 StepShaper Step by Step Workout Video Covers, 3 pages without page numbers.

241 Taiwan Sporting Goods Buyers Guide, Mid-Year Supplement 1989, by Tradewinds, 15 pages, pp. title page, 4, 6, 56-57, 59, 61, 64, 68-69, 76-77 (some pages are enclosed without page numbers).

GR 242 Taiwan Buyers Guide, Sporting Goods 1989, by Tradewinds, 12 pages, pp. title page, 17, 24, 163, 190, 196-197, 214 (some pages are enclosed without page numbers).

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GR 243 Taiwan Sporting Goods Buyers Guide, Mid-Year Supplement 1990, by Tradewinds, 15 pages, pp. title page, 63, 65, 69-70, 78-79, (some pages are enclosed without page numbers).

244 Taiwan Sporting Goods Buyers Guide, Mid-Year Supplement 1991, by Tradewinds, 11 pages, pp. title page, 61, 69, 73, 76, 78, 91 (some pages are enclosed without page numbers).

245 Taiwan Sporting Goods Buyers Guide 1991, by Tradewinds, 41 pages, pp., 19-20, 25-31, 171, 182, 188-190, 194-195, 198-199, 204-205, 223-225, 227-231, 235 (some pages are enclosed without page numbers).

246 Taiwan Sporting Goods Buyers Guide, Mid-Year Supplement 1992, by Tradewinds, 22 pages, pp. title page, 9-12, 87-89, 95, 104, 107, 115-116, 120-122 (some pages are enclosed without page numbers).

247 Taiwan Sporting Goods Buyers Guide 1992, by Tradewinds, 58 pages, pp. title page, 18, 24, 26-28, 159, 164-174, 179, 185, 198-199, 202, 210-212, 215, 222, 226, 234, 237, 245, 250, 396-397, 399, 402, (some pages are enclosed without page numbers).

248 Taiwan Sporting Goods Buyers Guide, Mid-Year Supplement 1993, by Tradewinds, 24 pages, pp. title page, 2, 15-16, 101-102, 111-112, 115, 119, 137, 141, 143-144, 243 (some pages are enclosed without page numbers).

249 Taiwan Sporting Goods Buyers Guide 1993, by Tradewinds, 6 pages, pp. title page, 197, 215, 275 (some pages are enclosed without page numbers).

250 Taiwan Sporting Goods Buyers Guide, Mid-Year Supplement 1994, by Tradewinds, 22 pages, pp. title page, 94, 97, 116, 120, 126, 146, 150, 163 (some pages are enclosed without page numbers).

251 Taiwan Sporting Goods Buyers Guide 1994, by Tradewinds, 38 pages, pp. title page, 11, 154, 177-178, 198-199, 205-206, 208, 217, 222, 232, 242-243, 258-259, 262-263, 290, 292 (some pages are enclosed without page numbers).

252 Taiwan Sporting Goods Buyers Guide 1995, by Tradewinds, 79 pages, pp. title page, 12-15, 18, 20-21, 25-32, 109, 158-160, 164, 181, 188, 197, 200, 202-204, 206, 221, 228, 232, 238, 264-265, 270-271, 274-275, 278-279, 282, 288, 290-292, 295-297, 304, 316-317, 321, 323, 329-331, 333, 550-551, (some pages are enclosed without page numbers).

GR 253 The New Yorker, March 6, 1989, 5 pages without page numbers.

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GR 254 The Puch Jogger, 1977, 2 pages without page numbers.

255 Treadmill SR195 Owners Manual and Operating Instructions, 22 pages without page numbers.

256 Treadmill SR285P Owners Manual and Operating Instructions, 25 pages, pp. title page, 1-23.

257 "Treadmills." Consumer Reports, available on information and belief at least as early as December 1997, 5 pages.

258 "Treadmills." Consumer Reports, available on information and belief at least as early as October, 1990, 8 pages.

259 "Treadmills for Jogs and 'Walkouts.'" Consumer Reports, January 1996, 5 pages.

260 Trotter Advertisement: "Introducing the 575 Club Trainer: One Piece of Equipment for Walking, Jogging, Running, and Climbing," available on information and belief at least as early as 1992 (2 pages).

261 Tunturi Fitness Products II Brochure, 8 pages without page numbers.

262 Voit Advertisement "Body Jack" (Damark, November 14, 1994, 1 page without page number).

263 Voit Advertisement "Gravity Rider" with enlarged photocopy (Damark, July 28-August 1, 1994, 2 pages without page number).

GR 264 Voit Advertisement "Gravity Rider" (Damark, July 28, 1994, 2 pages, pp. 34-35).

#### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in

Examiner: /Glenn Richman/ Date Considered: 08/31/2006

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: William T. Dalebout et al.  
Serial No.: 10/083,453  
Filing Date: February 26, 2002  
For: FOLD-OUT TREADMILL

Confirmation No.: 8307  
Att'y Docket No.: 13914.380.1.1.1  
Art Unit: 3764

conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner: /Glenn Richman/

Date Considered:

08/31/2006

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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